

## REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants wish to thank the Examiner for the notice that claims 27 and 28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 14 and 15 have been objected to due to informalities. These informalities have been corrected.

Claim 14 stands rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Applicants have corrected a typographical error. Also, Applicants respectfully note that the rejection misstates the claimed subject matter. Claim 1 does not disclose that sender authentication information and desired sender authentication information are both sent to the recipient. Only the desired sender authentication information along with data representing location information and an electronic message are sent for the recipient.

Claims 1-8, 10-13, 15-26 and 29-33 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,712,627 (Watts). The Watts security system is not directed to a method or apparatus for providing electronic message authentication as alleged. Watts is directed to a security system that utilizes an issued identification card wherein people are issued the additional Watts security card in addition to identification cards that may be provided “to provide an additional layer of security protection (i.e., person also has in their possession the issued security card).” (Column 2, lines 61-64). As taught by Watts, after a person provides, for example, a preassigned memorized password, if the password matches with the identified person’s password then the second criteria is evaluated which is the separately issued identification card that includes indicium at specified, randomly chosen row and column addressable positions on the card. The user then, for example, is questioned by a computer

system, they respond by putting in the response from the corresponding row and column. There is no electronic message authentication operation described in Watts.

The office action alleges that Watts describes sending an electronic message and both location information and a desired sender authentication information for a recipient. Applicants have amended claim 1 to include inherent subject matter indicating that the sending is data and that the combination of data sent includes at least three elements: an electronic message and both the location information that may be used by a recipient to determine sender authentication information as located on the article, and the desired sender authentication information data. The office action alleges that Watts teaches this operation in column 2, lines 37-64 and also equates the prompting of the user to enter information as an “electronic message” and also alleges that the cards themselves equate to the sending of sender authentication and information. (See office action, page 4, paragraph 11). Applicants respectfully submit however that Watts nowhere in the cited portion teaches sending an electronic message in combination with both the claimed location information and the desired sender authentication information. Applying the office action’s logic, Watts would need to teach that the user is also prompted for location information and the data at these coordinates. Watts does not teach this.

The cited portion instead merely describes what an identification card has on it and that the identification cards in Watts are integrated into a security system to provide an additional layer of security protection. Among other advantages of Applicants’ claimed method for providing electronic message authentication, is that the electronic message along with both location information and corresponding desired sender information data that is located at the coordinate identified by the location information is sent to a recipient. If the sent desired sender authentication information matches authentication information found on the article held by the recipient, the sender of the electronic message is then trusted. Applicants also respectfully refer

the Examiner to FIG. 21 indicating an example of data representing an electronic message and both the location information and the desired sender authentication information for the recipient. Watts does not contemplate any messaging scheme as claimed. Accordingly, the claim is in condition for allowance.

Applicants also respectfully reassert the relevant remarks made above with respect to claim 1 for independent claims 15, 21 and 31. Applicants also respectfully submit that the amendments to the independent claims are amendments that add inherent language and were not made for purposes of patentability.

As per claims 29 and independent claim 36 (misnumbered by Applicants as second claim 35), these claims have also been rejected as allegedly having “the same scope as claims 1-8 and 10-13”. However, these claims are directed to transaction cards and include subject matter not addressed in the office action.

For example, claim 29 requires a transaction card that comprises transaction card identification information along with sender authentication information identifiable by location information, and location information. The Watts identification cards are not transaction cards and do not contain transaction card identification information. As such, these claims are patentable over the Watts reference.

The dependent claims add additional novel and non-obvious subject matter.

Claim 35 (renumbered claim 36) stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,246,375 (Goede). The Goede reference is directed to a memory aiding device that uses a transparent substrate that has row and column information and in addition requires the use of a separate recorded sheet member 22 that is disposed under the substrate at a user defined location. The recording means 22 also requires the use of markings 30 to facilitate use of the memory aiding device. Claim 36 is directed to a completely different

structure. Applicants respectfully submit that there is no transaction card identification information on the memory aiding device and the memory aiding device is not a transaction card but instead is a memory aiding device to aid in remembering personal identification numbers (see Abstract of Goede). The office action cites column 3, lines 25-29 as allegedly teaching a transaction card having transaction identification information thereon. However, the cited portion actually does not refer to the substrate or any transaction card but instead refers to the "recording means 22" which is separate from the transparent substrate 18 and the cited portion does not mention any transaction card identification information of any kind. Accordingly, Applicants respectfully submit that the Goede reference does not teach what is alleged and the claim is in condition for allowance.

Claims 9 and 34 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Watts. Applicants respectfully reassert the relevant remarks made above and as such, these claims are at least allowable for these reasons. These claims also add additional novel and non-obvious subject matter.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Dated: November 3, 2008

By: /Christopher J. Reckamp  
Christopher J. Reckamp  
Reg. No. 34,414

Vedder Price P.C.  
222 North LaSalle Street  
Chicago, Illinois 60601  
PHONE: (312) 609-7599  
FAX: (312) 609-5005